

**24533. Misbranding of Ker-ene. U. S. v. Duncan O. Welty, Sr., and Duncan O. Welty, Jr. (The Welty Co.). Pleas of guilty. Fines, \$2. (F. & D. no. 33755. Sample nos. 43913-A, 43914-A, 46979-A.)**

This case was based on interstate shipments of a product the labeling of which contained unwarranted curative or therapeutic claims.

On December 20, 1934, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Duncan O. Welty, Sr., and Duncan O. Welty, Jr., trading as the Welty Co., Chicago, Ill., alleging shipment by said defendants in violation of the Food and Drugs Act as amended, on or about August 2, 1933, from the State of Illinois into the State of Rhode Island, and on or about August 15, 1933, from the State of Illinois into the State of New Jersey, of quantities of Ker-ene which was misbranded.

Analyses showed that the article consisted of deodorized kerosene.

The product covered by one shipment was charged with being misbranded in that certain statements in the labeling falsely and fraudulently represented that it was effective as a natural remedy for many certain ailments and specific cases; and effective as a treatment and remedy for dandruff and for all hair and scalp disorders; to prevent falling hair; to overcome almost every hair and scalp trouble, common and uncommon; to keep the scalp and hair in a healthy condition, remedy the impoverished condition and cure dandruff. The product in the remaining shipment was charged with being misbranded in that certain statements in the labeling falsely and fraudulently represented that it was effective as a natural remedy for many certain ailments and specific cases; and effective as a treatment, remedy, and cure for asthma, catarrh, hay fever, coughs, croup, foot troubles, lumbago, piles itching and protruding, pneumonia, rheumatism, sciatica, scalp troubles, skin troubles, stiff joints, swelling, sprains, tape worm, long round worm, throat troubles, toothache and wounds; effective to rouse the dormant follicles to energetic action and rout out the disease-producing germs and make it easier for nature to heal the scalp; effective to prevent falling or splitting hair; to invigorate the scalp and keep it healthy and clean, and to bring out the real softness, freshness, and luxuriance of a healthy head of hair; effective as of great value in the treatment of such skin diseases as favus and other associated conditions and chronic dry seborrhea; effective to stimulate the sebaceous glands to healthy action; effective as a treatment, remedy, and cure for pustular eczema, ringworm, and quinsy; effective as a treatment for pyorrhea, salivation, painful gums, and loose teeth; effective to prevent discoloration and decomposition of organic matter, and as a mouth wash to leave the mouth sterile, fresh and clean; effective as a treatment for membranous croup, tonsillitis, bronchitis, laryngitis, hoarseness, simple sore throat, neuralgia, and acute inflammatory condition of the mucous surfaces of the mouth, nose, or throat; effective as a pain lenitive in eruptive conditions of the skin, such as itching eczema, scabies, dermatitis, pimples, hives, inflammation, blotches, and acne; effective as a treatment for scabies, favus, eczema, itching eczema, acute or chronic, wounds, sores, ulcers and snake bites; effective to reduce the swelling and allay the infection; effective for the relief of asthma in its worst form; effective as a relief for tender, sore, aching conditions of the feet; to remove soft corns; as a remedy for sloughing of the skin, and as a treatment for stiff ankles or joints; and effective as a treatment for sore throat, croup and membranous croup in babies.

On February 21, 1935, the defendants entered pleas of guilty and were each fined \$1.00.

M. L. WILSON, *Acting Secretary of Agriculture.*

**24534. Misbranding of Etsam. U. S. v. Russell M. Evans. Plea of nolo contendere. Judgment of guilty. Fine, \$25. (F. & D. no. 33764. Sample no. 59001-A.)**

This case was based upon the interstate shipment of a drug product known as Etsam, the labeling of which contained unwarranted curative and therapeutic claims.

On November 7, 1934, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Russell M. Evans, Hatboro, Pa., alleging shipment by said defendant in the name of the Etsam Manufacturing Co., in violation of the Food and Drugs Act as amended, on or about August 30, 1933, from the State of Pennsylvania into the State of New Jersey of a quantity of Etsam which was misbranded.